

PARKING ORDINANCES

ARTICLE I. STOPPING, STANDING, AND PARKING GENERALLY*

***State law reference(s)** - Authority of city to regulate on street parking, G.S. Section 160A-301, parking generally, G.S. Section 20-161-20-163; Prima facie rule of evidence for enforcing parking regulations, G.S. Section 20-162.1.

STOPPING, STANDING OR PARKING PROHIBITED IN CERTAIN PLACES AND FOR CERTAIN PURPOSES

Section 1-1

It shall be unlawful for the driver of any vehicle to stop such vehicle in or upon any street within the corporate limits of the Village of Lake Park, except for purpose of parking as provided for in this Article, unless such stop is made necessary by the approach of fire apparatus, by the approach of a funeral procession, by the stopping of a public conveyance, by the reason of traffic signals, in the exercise of the rights of turning at an intersection or upon entering an intersection, by the passing of another vehicle, for a pedestrian, by reason of any emergency or by order of a law enforcement officer.

Sec. 1-2. Prohibited In Certain Places.

1. No person shall stop, stand or park a motor vehicle, tractor-trailer, commercial vehicle, recreation type vehicle including motor homes or detached trailer, except when necessary to avoid conflict with other traffic or in compliance with the directions of a law enforcement officer or a traffic-control device in any of the following places:

- (a) On a sidewalk;
- (b) On a crosswalk;
- (c) In front of a public or private driveway;
- (d) Within thirty (30) feet upon the approach to any flashing beacon, stop sign or traffic-control signal located at the side of a street or roadway;
- (e) Along side or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic;
- (f) On the roadway side of any vehicle stopped, standing or parked at the edge or curb of a street;
- (g) In, or on the space between a sidewalk and a public street;
- (h) In, or on the area between a public street and the first six (6) feet of grass on the side of a public street where there is no sidewalk;
- (i) Within a street intersection;
- (j) Within fifteen (15) feet of a fire hydrant;
- (k) Within twenty (20) feet of a crosswalk;
- (l) Within thirty (30) feet of an intersection;

- (m) Within the circular portion of any cul-de-sac;
- (n) In, or on any common area of the Village of Lake Park;
- (o) In, or on any park;
- (p) At any place where official signs prohibit stopping.

2. These provisions do not apply to emergency vehicles.

3. No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such distance as is unlawful.

State law reference(s) – Parking near fire hydrant, fire station or private driveway, G.S. Section 20-162.

Section 1-3. Prohibited For Certain Purposes.

It shall be unlawful for any person to stand or park a vehicle upon any street of the Village of Lake Park for the principal purpose of:

- (a) Displaying it for sale;
- (b) Washing, greasing or repairing such vehicle, except for repairs necessitated by an emergency;
- (c) Storage thereof by garages, dealers or other persons when such storage is not incident to the bona fide use and operation of such automobile or other vehicle;
- (d) Storage of any detached trailer or van when the towing unit has been disconnected or for the purpose of transferring merchandise or freight from one vehicle to another;
- (e) Unless otherwise regulated, parking of any tractor-trailer, commercial vehicle, or recreation type vehicle including motor homes, boats, etc., for more than one hour on any given day.

Section. 1-4. Parking Not To Obstruct Traffic.

In any area within the corporate limits of the Village of Lake Park where parking spaces are not marked on the pavement, are not designated as "no parking" zones and are not otherwise restricted by this Article from the parking of a vehicle, all vehicles shall be parked, stopped or standing parallel to the curb or the edge of the pavement and as far right of the centerline as possible, leaving at least 16 feet of clear unobstructed roadway for the safe passage of other vehicles. At no time may a vehicle be directly across the street from another vehicle unless there will be 16 feet of roadway open between the two vehicles.

Section. 1-5. Parking In Alleys.

No person shall park, stand or stop any vehicle within an alley in such a manner or under such conditions as to leave available less than ten feet of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property.

Section. 1-6. No Parking For Purposes Of Advertising.

It shall be unlawful for any person to stand or park any vehicle on any street for the primary purpose of advertising unless such owner or driver thereof shall have obtained written permission of the Village Council of the Village of Lake Park.

Section 1-7. Standing Or Parking On One-Way Roads.

In the event a street or roadway is restricted to one direction upon any such street or roadway, no person shall stop, stand or park a vehicle upon the left-hand side of such one-way street or roadway unless signs are erected to permit such stopping, standing or parking.

Section 1-8. Handicapped Parking Spaces.

When official signs are erected indicating no parking except for the handicapped, no person other than the handicapped shall park a vehicle in such designated place.

Section. 1-9. Prohibited At All Times In Certain Locations.

Parking, standing or stopping a vehicle shall be prohibited at all times and at all locations:

- (a) When signs are placed, erected or installed giving notice thereof or the curbing has been painted yellow in lieu of such signs, no person shall stop, stand or park a vehicle at any time upon any of the streets designated on the official traffic maps of the Village as areas where parking is prohibited at all times.
- (b) No commercial vehicle of over three fourths (3/4) ton capacity shall be parked upon either side of any residential street so designated on the official traffic maps of the village.
- (c) No person shall park any recreational vehicle, boat or trailer of any kind on any public street within the corporate limits at any time.
- (d) No person shall stop, stand, or park any commercial vehicle, bus, trailer, etc., on any street except for the temporary purpose of transacting business (e.g. moving vans, parcel delivery vehicles, etc.).

Section 1-10. Prohibitions Of Other Miscellaneous Vehicles.

It shall be unlawful for any person to stop, stand, park or otherwise leave unattended any commercial motor vehicle, dump truck, excursion passenger vehicle, horse trailer, property hauling vehicle, school bus, school activity bus or any other type of passenger or commercial vehicle that exceeds two rear axles or four tons in or on any street, common area, park, front yard or alley provided, however, the provisions of the section do not apply to the following:

- (a). The temporary parking for the loading or unloading of moving vans or trucks;

(b). The stopping, standing or parking when necessary to avoid conflict with other traffic or in compliance with law or the direction of a law enforcement officer or traffic-control device;

(c). The normal stoppage of commercial vehicles or buses for taking on and discharging passengers or freight;

(d). The stopping, standing or parking of any governmental, emergency or utility vehicle as required by the performance of a legitimate governmental, emergency or utility-related function;

(e). The stopping, standing or parking of any construction or demolition equipment, provided such equipment is being used during an active and ongoing construction or demolition project;

(f). An emergency resulting from a breakdown that requires repairs to the vehicle;

(g). The parking of any campers or trailers in the rear yard of any single-family dwelling;

(h). Any other purpose that has been reviewed and authorized by the Town Council of the Village of Lake Park.

Section. 1-11. Limited to two hours in certain locations.

When signs are placed, erected or installed in each block giving notice thereof, no person shall park a vehicle between the hours of 12:00 am and 6:00 am upon the parking lot immediately adjacent to the Village Community Center.

The changing of the position of a vehicle from one point directly to another point within the same block shall be deemed one continuous parking period.

Section. 1-12. Limited to one hour in certain locations.

When signs are placed, erected or installed in each block giving notice thereof, no person shall park a vehicle for longer than one (1) hour at any time upon any of the streets designated on the official traffic maps of the Village as areas where parking is limited to one hour.

The changing of the position of a vehicle from one point directly to another point within the same block shall be deemed one continuous parking period.

Section. 1-13. Penalties.

- (a) Violation of any of the provisions of sections 1-1 through 1-12 shall subject to the offender to a maximum penalty of a fine of Fifty Dollars (\$50.00).
- (b) The Fifty Dollar (\$50.00) fine hereunder shall be assessed by the issuance of a notice and citation of violation which shall be affixed to the vehicle unlawfully parked and which shall be payable to the Village of Lake Park no later than five (5) business days from the time of such issuance.

Section. 1-14. Towing Of Vehicles In Violation.

- (a) The Union County Sheriff's Office, the North Carolina Highway Patrol or any authorized local law enforcement agency, and all members thereof, are hereby authorized to remove and tow away, or have removed and towed away by a commercial towing service any car or other vehicle illegally parked in any such place where such parked vehicle creates a traffic hazard, blocks the use of a fire hydrant or may obstruct the movement of any emergency vehicle.
- (b) Any car or other vehicle parked on any street or other area where parking is specifically prohibited under the provisions of the Code may also be removed and towed away as herein provided.
- (c) Cars or other vehicles so towed away for illegally parking shall be stored in a safe place and shall be restored to the owner or operator of such upon the payment of all towing and storage fees and costs incurred as a result of the removal of such car or vehicle. Such charges shall constitute a lien against such vehicle.

Section. 1-15. Enforcement.

Pursuant to North Carolina General Statute Section 160A-175, the Village of Lake Park may seek the recovery of a civil penalty in a civil action in the nature of a debt if the fine set forth herein above has not been paid within five (5) days after the offender has been cited for the violation. The Village may also seek any appropriate equitable relief from a court of competent jurisdiction that it deems necessary to ensure compliance with the provision of this Ordinance.

Section. 1-16. Severability.

Should any section or provision of this ordinance be declared unconstitutional or invalid, such declaration shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Sec. 1-17. Effective Date

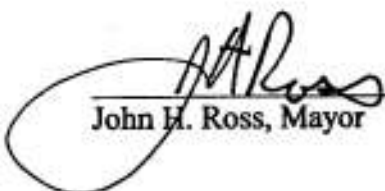
This Ordinance shall be effective on and after 12:01 am on November 15, 2000.

Adopted the 14th day of November, 2000.

As amended on March 12, 2002.

As amended on February 10, 2004.

And, as amended this the 10th day of August, 2004.



John H. Ross, Mayor

Attested:



Sarah R. Barbour, Village Clerk